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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/868,107	10/12/2001	Heikki Einola	875.0010USU	5728

29683 7590 09/28/2004

HARRINGTON & SMITH, LLP  
4 RESEARCH DRIVE  
SHELTON, CT 06484-6212

EXAMINER

COLIN, CARL G

ART UNIT	PAPER NUMBER
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2136

DATE MAILED: 09/28/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/868,107

Applicant(s)

EINOLA ET AL.

Examiner

Carl Colin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7. 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. In response to communications filed on 10/12/2001, Applicant pre-amends claims 1-8.

Pursuant to USC 131, claims 1-8 are presented for examination.

#### ***Specification***

2. The disclosure is objected to because of the following informalities: on page 2, lines 3, 20, and 25, the reference number 50 is described as HLR/AUC, AuC, and Authentication center. Appropriate correction is required. Applicant's cooperation is requested to review the application in correcting any errors of which applicant may become aware in the specification.

#### ***Drawings***

3. Figures 1 and 2 are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the reference signs: 70 and 170 respectively, not mentioned in the description.

Appropriate correction is required.

A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

#### ***Claim Objections***

4. **Claims 1, 4, and 8** are objected to for lack of indentation of limitation. See MPEP § 608.01(m). Appropriate correction is required.

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**Claims 1, 4, and 8** are also objected to because of the following informalities: in order to avoid rendering the claim indefinite, the term “capable of” should be corrected. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5.1 **Claims 1-8** are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6,167,513 to **Inoue et al.** (*Applicant IDS*).

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5.2 **As per claims 1, 4, and 8, Inoue et al.** discloses a method and communication network comprising a user equipment, an access network and a plurality of core networks, wherein said user equipment is capable of being simultaneously in communication with at least two of said plurality of core networks comprising: means for communicating separate ciphering parameters to said access network in said at least two of said core networks, for example (see column 11, lines 10-25, column 17, line 6 through column 18; column 20, lines 28-67); and said access network comprising means for selecting one of said separate ciphering parameters for ciphering the communications between said user equipment and said at least two of said plurality of core networks, for example (see column 13 through column 14, line 47; column 11, lines 10-25, column 17, line 6 through column 18; column 20, lines 28-67).

**As per claims 2-3 and 5-6, Inoue et al.** discloses the limitation of communication network according to claim 1, further comprising means for ciphering said communications between said user equipment and said at least two of said plurality of core networks with said selected one: of said separate ciphering parameter, wherein said ciphering parameter comprises at least one of a ciphering key or a ciphering algorithm, for example (see column 13 through column 14, line 47; column 11, lines 10-25, column 17, line 6 through column 18; column 20, lines 28-67).

**As per claim 7, Inoue et al.** discloses the limitation of wherein said access network comprises a plurality of entities dedicated for managing the ciphering of communications with user equipments located in a geographical area allocated to said respective entities, and that

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when said user equipment moves from a geographical area allocated to a first ciphering managing entity to a geographical area allocated to a second ciphering managing entity, said first ciphering managing entity communicates used ciphering parameters to said second ciphering managing entity by signalling over said at least two of said plurality of core network, for example (see column 13 through column 14, line 47).

### *Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure as the art discloses communication between a mobile user and plurality of networks.

US Patents: 5,555,553 Johnson 6,434,382 Liu et al.

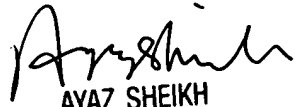
6.1 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carl Colin whose telephone number is 703-305-0355. The examiner can normally be reached on Monday through Thursday, 8:00-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

cc

Carl Colin  
Patent Examiner  
September 17, 2004

  
AYAZ SHEIKH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100